

## **IC 23-14-38**

### **Chapter 38. Construction of Mausoleums and Vaults**

#### **IC 23-14-38-1**

##### **Construction of crypts; ventilation**

23-14-38-1 Sec. 1. (a) A crypt placed in a mausoleum, vault, or other structure shall be so constructed that all parts of it may be readily examined by the state department of health or any other health officer.

(b) All ventilation from a crypt constructed after March 15, 1945, may be released at a height of the lowest roof level.

*As added by P.L.52-1997, SEC.12.*

#### **IC 23-14-38-2**

##### **Removal and reinterment of bodies from burial structure declared to be public nuisance; removal of mausoleum or vault; costs**

23-14-38-2 Sec. 2. (a) This section applies if:

- (1) a person fails to maintain a mausoleum, garden crypt, vault, or other burial structure in a good state of repair; and
- (2) by reason of the failure referred to in subdivision (1), a court of competent jurisdiction declares the mausoleum, garden crypt, vault, or other burial structure to be a public nuisance.

(b) The deceased body or bodies interred in the mausoleum, garden crypt, vault, or other burial structure shall be removed and properly interred:

- (1) within thirty (30) days after the judgment declaring the mausoleum, garden crypt, vault, or other burial structure to be a nuisance, if the judgment is not appealed; or
- (2) if the judgment is appealed, within thirty (30) days after the judgment is upheld on appeal.

(c) The mausoleum, garden crypt, vault, or other burial structure shall be removed:

- (1) within one hundred eighty (180) days after the judgment declaring the mausoleum, garden crypt, vault, or other burial structure to be a nuisance, if the judgment is not appealed; or
- (2) if the judgment is appealed, within one hundred eighty (180) days after the judgment is upheld on appeal.

(d) The cost of reinterment of the bodies under subsection (b) and removing the mausoleum, garden crypt, vault, or other burial structure under subsection (c) shall be paid:

- (1) by the person who owns the mausoleum, garden crypt, vault, or other burial structure; or
- (2) if the person who owns the mausoleum, garden crypt, vault, or other burial structure is not found, by the county in which the mausoleum, garden crypt, vault, or structure is located.

*As added by P.L.52-1997, SEC.12.*

#### **IC 23-14-38-3**

##### **Violation of chapter; Class B misdemeanor**

23-14-38-3 Sec. 3. A person who recklessly fails to comply with this chapter commits a Class B misdemeanor.  
*As added by P.L.52-1997, SEC.12.*